

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

EDWARD BRINKMAN,

10-CV-481-ST

Plaintiff,

ORDER

v.

VANGUARD-EMS,

Defendant.

EDWARD BRINKMAN  
11555 SE 34th Avenue  
Milwaukie, OR 97222  
(503) 449-2048

Plaintiff, *Pro Se*

HEIDEE STOLLER  
STACEY E. MARK  
Ater Wynne, LLP  
1331 N.W. Lovejoy, Suite 900  
Portland, OR 97209  
(503) 226-8616

Attorneys for Defendant

**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#13) on August 26, 2010, in which she recommends this Court grant Defendant Vanguard-EMS's Motion (#5) to Dismiss Plaintiff's Complaint with prejudice.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#13). Accordingly, the Court **GRANTS** Defendant's Motion (#5) to Dismiss and **DISMISSES** this matter **with prejudice** for lack of subject-matter jurisdiction.

IT IS SO ORDERED.

DATED this 4th day of November, 2010.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge